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 TERIX COMPUTER COMPANY, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

ORACLE AMERICA, INC., a Delaware  
 corporation; ORACLE INTERNATIONAL  
 CORPORATION, a California corporation

Case No.: 3:16-cv-02090-JST

Plaintiffs,

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO MODIFY BRIEFING  
 SCHEDULE**

v.

BERND APPLEBY; JAMES OLDING;  
 TERIX COMPUTER COMPANY, INC., a  
 California corporation; TUSA, INC., a  
 Delaware corporation; ERMINE IP, INC., a  
 Delaware corporation; and ERMINE  
 SERVICES, LLC, a Delaware company; and  
 DOES 1–50,

Defendants.

1 WHEREAS, on June 30, 2016, Oracle filed its First Amended Complaint (the “FAC”)  
2 (ECF No. 42);

3 WHEREAS, Defendants’ response to the FAC is currently due July 18, 2016;

4 WHEREAS, if Defendants’ were to file motions to dismiss the FAC, Oracle’s oppositions  
5 to such motions filed on July 18 would be due August 1, 2016;

6 WHEREAS, Defendants’ replies to Oracle’s oppositions would be due August 8, 2016;

7 WHEREAS, to accommodate scheduling conflicts of Oracle’s counsel in this case, the  
8 Parties have reached an agreement to modify the briefing schedule;

9 NOW, THEREFORE, the Parties hereby stipulate, and ask the Court to order, as follows:

- 10 • The deadline for the Defendants to respond to the FAC is extended to July 28, 2016.  
11 • In the event Defendants file motions to dismiss the FAC, the deadline for Oracle to  
12 file its oppositions to the motions shall be August 11, 2016 and the deadline for the  
13 Defendants to file their replies in support of such motions to dismiss shall be August  
14 18, 2016.

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1 Dated: July 13, 2016

MORGAN, LEWIS & BOCKIUS LLP  
Thomas S. Hixson  
Spencer H. Wan

4 By: /s/ Thomas S. Hixson

Thomas S. Hixson  
Attorneys for Plaintiffs  
Oracle America, Inc. and Oracle  
International Corporation

8 Dated: July 13, 2016

LANDAU GOTTEFRIED & BERGER LLP  
Peter M. Bransten

10 By: /s/ Peter Bransten

Peter Bransten  
Attorneys for Defendants Bernd Appleby,  
James Olding, Tusa Inc., Ermine IP, Inc.,  
And Ermine Services, LLC

14 Dated: July 13, 2016

HOPKINS & CARLEY  
Monique D. Jewett-Brewster

16 By: /s/ Monique D. Jewett-Brewster

Monique D. Jewett-Brewster  
Attorneys for Defendant  
Terix Computer Company, Inc.

**ATTESTATION**

I, Thomas S. Hixson, am counsel for Oracle America, Inc. and Oracle International Corporation. I am the registered ECF user whose username and password are being used to file this Stipulation. In compliance with LR 5-1(i)(3), I hereby attest that the above-identified counsel concurred in this filing.

Dated: July 13, 2016

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Thomas Hixson

Thomas S. Hixson  
Attorneys for Plaintiffs  
Oracle America, Inc. and Oracle International Corporation

**IT IS ORDERED** that the foregoing agreement is approved and the deadlines are modified accordingly.

Dated: July 14, 2016

By: \_\_\_\_\_

